

**Appl. No. 10/043,252**  
**Amdt. dated June 7, 2004**  
**Reply to Office Action of March 8, 2004**

## **REMARKS/ARGUMENTS**

Reconsideration of this application is respectfully requested.

Claims 1, 3-10, and 13-21 are pending in the application with claims 1, 6, 13-15, 20, and 21 having been amended.

The specification has been amended at the points indicated to correct a typographical error and insert a comma. It is submitted that no new matter is introduced into the application by these amendments and their entry is respectfully requested.

Claims 1-21 have been rejected "under 35 U.S.C. 103(a) as being unpatentable over Zinke et al. (U.S. 5,969,015), alone, and further in combination with applicants' own admission."

Zinke et al. discloses compositions, comprising (i) a halogen-containing polymeric material, and (ii) at least one phosphite of a specified formula, as well as compounds of the formula and their use as stabilisers.

All of the compositions disclosed by Zinke et al. require the presence of a phosphite. The present application has now been amended exclude the presence of phosphites from the compositions of the claims.

Further, Zinke et al. fail to disclose or suggest the problem that the present applicants set out to solve, i.e., the discoloration that occurs in polyvinyl chloride compositions when they are heated to 180° C in the presence of a carbon monoxide modified EVA copolymer, and fail to disclose that the problem can be alleviated by the addition of an inorganic perchlorate salt. The disclosure of Zinke et al. would provide nothing but an invitation to

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persons skilled in this art to experiment to find a way to solve the discoloration problem.

Accordingly, it is requested that the rejection of claims 1-21 under 35 U.S.C. 103(a) as being unpatentable over Zinke et al. (U.S. 5,969,015), alone, and further in combination with applicants' own admission, be withdrawn.

In view of the foregoing, it is submitted that this application is now in condition for allowance and an early Office Action to that end is earnestly solicited.

Respectfully submitted,

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Date

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